

**Exhibit B-1**

**Excerpts from the Deposition of Keisha Jones, dated January 10, 2013,  
Pages 1-94**

KEISHA JONES - 1/10/2013

1  
2 UNITED STATES DISTRICT COURT  
3 SOUTHERN DISTRICT OF NEW YORK

4 -----x  
5 KEISHA JONES,

6 Plaintiff,

Civil Action No.

7 -against-

11CV9136 (CM) (KNF)

8 EQUIFAX, INC., EXPERIAN INFORMATION  
9 SOLUTIONS, INC., TRANS UNION, LLC,  
10 BILATERAL CREDIT CORP., LLC,  
HAHNEMANN UNIVERSITY HOSPITAL,  
CENTRAL FINANCIAL CONTROL,  
COMCAST CABLE,

11 Defendants.  
12 -----x

13 January 10, 2013

9:55 a.m.

14  
15  
16  
17  
18 Videotaped Deposition of KEISHA JONES,  
19 taken by Defendants, pursuant to Notice, at the  
offices of Jones Day, 222 East 41st Street, New  
York, New York, before William Visconti, a  
20 Shorthand Reporter and Notary Public within and  
for the State of New York.  
21  
22  
23  
24  
25

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## A P P E A R A N C E S:

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## ALSO PRESENT:

JONATHAN POPHAM, Videographer



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1  
2 THE VIDEOGRAPHER: This is the video  
3 operator speaking, Jonathan Popham, of  
4 Merrill Corporation, today is January 10th,  
5 2013 and the time is 9:55 a.m. We are at the  
6 offices of Jones Day, 222 East 41st Street,  
7 New York, New York to take the videotape  
8 deposition of Keisha Jones in the matter of  
9 Keisha Jones versus Equifax Incorporated, et  
10 al. in the United States District Court for  
11 the Southern District of New York. Case  
12 number 11 CV 9136 (CM) (KNF) will counsel  
13 introduce themselves for the record.

14 MR. MALLON: Kevin Mallon of  
15 Fishman & Mallon for the Plaintiff.

16 MR. STRAZZERI: Joseph Strazzeri with  
17 the law firm of Jones Day representing  
18 Experian Information Solutions Incorporated.

19 MR. KARAMOUZIS: Andrew Karamouzis of  
20 the firm Moran Karamouzis for Comcast Cable.

21 THE VIDEOGRAPHER: Will the court  
22 reporter, Bill Visconti, please swear in the  
23 witness.  
24  
25

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1  
2 KEISHA JONES,  
3 having been first duly sworn by the Notary Public,  
4 was examined and testified as follows:

5 MR. STRAZZERI: Before we begin I  
6 would just like to put on the record two  
7 stipulations that we have established through  
8 the discovery process but I want them to  
9 appear on the transcript.

10 One is a stipulation that plaintiff is  
11 not claiming actual damages in this action  
12 and that includes economic loss, injury to  
13 reputation or emotional distress or any form  
14 of actual damages.

15 MR. MALLON: That's correct.

16 MR. KARAMOUZIS: To be clear that is  
17 against all Defendants.

18 MR. MALLON: That's correct.

19 MR. STRAZZERI: The other stipulation  
20 that I wanted to confirm is that the only  
21 inaccuracy alleged in this action pertains to  
22 CFC Hahnemann University Hospital and Comcast  
23 Cable.

24 MR. MALLON: Plus those are the only  
25 inaccurate accounts, but there are addresses

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1  
2 and personal information on the report that  
3 was not accurate as well.

4 MR. STRAZZERI: Anything else?

5 MR. MALLON: No.

6 EXAMINATION CONDUCTED BY MR. STRAZZERI:

7 Q. Good morning. My name is Joseph  
8 Strazzeri and I'm an attorney with the law firm of  
9 Jones Day and we represent Experian Information  
10 Solutions in this lawsuit. Can you state your  
11 name and full address for the record?

12 A. Keisha Jones, Post Office 634,  
13 Bronx, New York 10451.

14 Q. What is your physical address?

15 A. 1020 Grand Concourse, Bronx, New  
16 York 10451.

17 Q. What apartment?

18 A. It is not my apartment.

19 Q. Which apartment do you live at 1020  
20 Grand Concourse?

21 A. I lived in 24D.

22 Q. Which apartment do you currently  
23 live?

24 A. I don't live there, I stay there.  
25 So I'm there sometimes and sometimes I'm not

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1  
2 there.

3 Q. What type of building is 1020 Grand  
4 Concourse?

5 A. High-rise building.

6 Q. Where in the building do you stay?

7 A. Fifth floor.

8 Q. Which apartment?

9 A. 5X.

10 Q. Describe what you mean when you say  
11 you don't live there?

12 A. Someone is allowing me to stay  
13 there until I'm able to get back on my feet.

14 Q. Is there somewhere else that you  
15 live other than apartment 5X?

16 A. There is an apartment that I stay  
17 at in Queens.

18 Q. What is the address?

19 A. 107-27 154th Street.

20 Q. We will get to the addresses in  
21 more detail. Have you ever had your deposition  
22 taken before?

23 A. Yes.

24 Q. When?

25 A. A few years ago, I don't remember



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2 the exact date, but it was Jones v. Commerce Bank.

3 Q. What was the nature of that  
4 lawsuit?5 A. Stolen money out of a bank account  
6 and it was my contention that is where the  
7 identity theft stemmed from.8 Q. So you were a Plaintiff in the  
9 lawsuit?

10 A. Correct.

11 Q. And your deposition was taken in  
12 that capacity as Plaintiff?

13 A. Correct.

14 Q. Has your deposition been taken at  
15 any other time?

16 A. No.

17 Q. It sounds like you have had some  
18 experience in this process. During the deposition  
19 I will ask you questions and my questions and your  
20 answers will be recorded by the court reporter  
21 that is sitting next to us. You will need to  
22 speak up when giving your response so that the  
23 court reporter can hear you. You also need to  
24 give a verbal response as you have because the  
25 court reporter cannot record nods of the head or



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1 contexts?

2 A. I have, but not for business  
3 purposes.  
4

5 Q. People know and refer to you as Kay  
6 Jones?

7 A. Some do.

8 Q. What is your date of birth?

9 A. [REDACTED]/70.

10 Q. Where were you born?

11 A. New York City.

12 Q. Where in New York?

13 A. Manhattan.

14 Q. State your father's name?

15 A. Walter Jones.

16 Q. And your mother's name?

17 A. Kathleen Jones.

18 Q. What is your Social Security  
19 Number?

20 A. [REDACTED]-5746.

21 Q. Have you ever had any other social  
22 security numbers?

23 A. No.

24 Q. Have you ever used a different  
25 social security number?

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2 A. No.

3 (Jones Exhibit 1 for identification,  
4 Copy of Miss Jones' New York State driver's  
5 license.)

6 Q. I show you, Miss Jones, a document  
7 marked Jones Exhibit 1. It is document that I  
8 received from your attorney yesterday. Do you  
9 recognize the document?

10 A. Yes.

11 Q. What is it?

12 A. It is my New York State driver's  
13 license.

14 Q. Is it a true and accurate copy of  
15 it?

16 A. Yes, it is.

17 Q. It was issued in June, 2010?

18 A. Correct.

19 Q. What is the P.O. Box number that  
20 you list on the license?

21 A. 524081.

22 Q. Is that your current post box  
23 number?

24 A. No, actually I have to update that.

25 Q. When was this the P.O. Box number

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2 that you used?

3 A. I'm sorry?

4 Q. When was this your post box, the  
5 number that appears -- let me clarify.6 The number that appears on your  
7 driver's license, when was that your post box,  
8 post office box?

9 A. When it was issued.

10 Q. So June, 2010 you were using P.O.  
11 Box number 524081?

12 A. For my driver's license, correct.

13 Q. What do you mean when you say for  
14 your driver's license?15 A. This is the P.O. Box that appears  
16 on my driver's -- that appears on my driver's  
17 license. In terms of documents and mail and  
18 regular correspondence that goes to the P.O. Box  
19 that I stated as my current address.

20 Q. How many P.O. Boxes do you have?

21 A. Two.

22 Q. How many P.O. Boxes do you  
23 currently have?

24 A. Two.

25 Q. Identify both of them?

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2 A. P.O. Box 634 Bronx, New York 10451.

3 Q. What is the second one?

4 A. I don't recall the box number

5 offhand, I have to look it up. I don't carry it  
6 with me.

7 Q. For how long have you used P.O.

8 Box 634?

9 A. More than ten years.

10 Q. For what purpose do you use P.O.

11 Box 634?

12 A. All correspondence with the

13 exception of anything that comes from the  
14 Department of Motor Vehicles.

15 Q. Do you use it for other official or

16 business purposes other than the Department of  
17 Motor Vehicles?

18 A. I'm sorry?

19 Q. Do you use P.O. Box 634 for other

20 business or official purposes?

21 A. I use P.O. Box 634 for all

22 correspondence and mail except for anything from  
23 motor vehicles.

24 Q. So other government or official

25 business you would use P.O. Box 634?

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2 A. Correct.

3 Q. And you referenced another P.O. Box  
4 that you currently have.

5 A. Yes, but I don't have the full  
6 address.

7 Q. For how long have you had that  
8 other P.O. Box?

9 A. I think it has been -- I think I  
10 opened that box in June, I believe June of 2012.

11 Q. For what purpose did you open that  
12 P.O. Box?

13 A. To transition over to make sure  
14 that my driver's license information gets from  
15 this box to a different address, that other box.  
16 It is for motor vehicles.

17 Q. Why do you have a separate P.O. Box  
18 for motor vehicles?

19 A. Because as my driver's license was  
20 compromised when my identity was stolen, a part of  
21 the information that I received in the Commerce  
22 case was that and from the New York City Police  
23 Department is that identity thief used my personal  
24 information to go to DMV in Pennsylvania and  
25 obtain authentic identification.



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2 I'm not sure it was a driver's  
3 license or a nondriver's license but NYPD  
4 confirmed that it was a valid Pennsylvania DMV ID  
5 or license using my personal information with  
6 fraudulent documents.

7 Q. For what reason do you have a  
8 separate P.O. Box for Department of Motor Vehicles  
9 correspondence?

10 A. Because I wanted to isolate all  
11 information that would be coming from DMV with  
12 respect to this because my fear is that something  
13 would get attached to my driver's license and my  
14 biggest fear is being falsely arrested for something  
15 that I didn't do knowing that identity thieves can  
16 go as far as getting authentic documents from  
17 Department of Motor Vehicles with fraudulent  
18 information.

19 Q. Do you have a driver's license in  
20 any other state other than New York?

21 A. I do not.

22 Q. Is the document marked Jones  
23 Exhibit 1 the only image of the only driver's  
24 license that you have?

25 A. That is my driver's license that I



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2 have that belongs to me. I can't say that there  
3 is no other driver's license in the other 49  
4 states that an identity thief might have. That is  
5 what I learned as a part of the whole process with  
6 Commerce and that is information that I got from  
7 the New York Police Department and DMV.

8 Q. Is the document marked Jones  
9 Exhibit 1 the only driver's license shall, a copy  
10 of the only driver's license that you have?

11 A. That is correct.

12 Q. So, since opening the other P.O.  
13 Box in June, 2012, have you used it for any  
14 purpose?

15 A. No, it is just for purposes of DMV.  
16 So I actually have to go and get this updated.

17 Q. To date, have you used the other  
18 P.O. Box for any purpose?

19 A. No.

20 Q. Since obtaining the other P.O. Box  
21 in June, 2012 you haven't notified the DMV of it  
22 yet?

23 A. I have notified DMV, so they are  
24 aware of it. I have to go to DMV and actually get  
25 another license -- I mean get --

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2 Q. Go ahead and finish.

3 A. To get it updated.

4 Q. How did you notify DMV?

5 A. I called DMV.

6 Q. When did you call them?

7 A. I called them periodically

8 throughout the year, so I call them maybe once or

9 twice so far, once or twice in 2012.

10 Q. Do they except change of addresses  
11 by telephone?

12 A. Yes, they do.

13 Q. But you haven't -- have you been  
14 instructed to obtain a new license?15 A. They said when I have a chance I  
16 can -- they said I can go in and get a new one.  
17 They wouldn't just mail me one with the change  
18 over the phone, I have to go in.19 Q. Have you received any  
20 correspondence from the Department of Motor  
21 Vehicles at the new post office number?

22 A. No.

23 Q. Let's talk about the P.O. Box  
24 number that appears on your license. When did you  
25 open that P.O. Box?

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2 A. I don't remember the date that I  
3 opened it.

4 Q. In which year?

5 A. I believe it was 2010.

6 Q. Have you used it for any purpose  
7 other than your New York State driver's license?

8 A. I would get mail and if I got -- if  
9 I ordered something like, you know, something like  
10 from Amazon let's say.

11 Q. So you receive correspondence from  
12 other than the DMV at that P.O. Box?

13 A. Correct.

14 Q. Sometimes you use P.O. Box 634 for  
15 correspondence and sometimes you use P.O.  
16 Box 524081?

17 A. No. 524081 would be for if I'm  
18 receiving a package or something of that nature.  
19 P.O. Box 634 is for all of my business, the IRS,  
20 all of my personal business. Tax returns,  
21 anything that would come from the IRS or anything  
22 other than DMV.

23 Q. Sometimes when you place orders  
24 with Amazon, for example, you would use the 524081  
25 P.O. Box number?

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2 A. Yes, I have occasionally.

3 Q. Is that box still active?

4 A. No.

5 Q. When did you close the box?

6 A. I believe I closed it in the fourth  
7 quarter of 2012. I don't remember the date.

8 Q. Why did you close that P.O. Box?

9 A. Because I needed -- I wanted to  
10 transition to a post office that had better hours.

11 Q. Any other reason?

12 A. No.

13 Q. What address was reflected on your  
14 driver's license prior to June, 2010?15 A. It was an old address. 915 East  
16 178th Street.

17 MR. KARAMOUZIS: Can you repeat that?

18 THE WITNESS: 915 East 178th Street.

19 Q. Were you living there prior to  
20 June, 2010?

21 A. No.

22 Q. Why did that address appear on your  
23 license?24 A. I didn't change it. It was -- I  
25 grew up in a family house, so I didn't change the

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1 address.

2 Q. When did you live at 915 East 178th  
3 Street?  
4

5 A. I lived there through high school,  
6 college, all the way up until 2000 -- no, not  
7 2000. Up until 1997.

8 Q. You moved out in 1997?

9 A. Correct.

10 Q. Have you lived there at 915 East  
11 178th Street at any point since 1997?

12 A. No.

13 Q. Up until June, 2010 your license  
14 always reflected that your physical address was  
15 915 East 178th Street?

16 A. Right, correct.

17 Q. Did you use that address for other  
18 purposes?

19 A. What address?

20 Q. 915 East 178th Street.

21 A. I don't understand the question.

22 Q. Did you use the address 915 East  
23 178th Street for any purposes at all?

24 A. After I moved?

25 Q. After 1997.

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2 A. No.

3 Q. Did you receive any mail at 915  
4 East 178th Street?5 A. If it was from the Department of  
6 Motor Vehicles, yes.7 Q. Why is that? Because that is the  
8 license that was on my address. That is the address  
9 that they had on file?10 A. Correct, if something came from DMV  
11 it could have gone to that address.12 Q. Did you use that address for any  
13 other purposes?

14 A. When?

15 Q. After 1997?

16 A. No.

17 Q. Do you have a copy of your birth  
18 certificate?19 A. I don't know where it is, I believe  
20 it is somewhere. I'm still looking for it.

21 Q. Where have you searched?

22 A. I searched all of my files and bags  
23 and books.24 Q. When is the last time that you seen  
25 it?

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2 A. I don't recall.

3 Q. Have you seen it in the last five  
4 years?

5 A. Yes.

6 Q. Have you seen it in the last year?

7 A. No, I haven't seen it in the last  
8 year.9 Q. Is there a place where you keep  
10 your files stored?11 A. They are in various places because  
12 I have been displaced. So I have bags and boxes  
13 and just strewn about.14 Q. What do you mean when you say  
15 strewn about?16 A. Some are with me and some are at  
17 someone's house, some are in someone's basement  
18 because I have been displaced since -- for the  
19 last couple of years, so things have not -- just  
20 are not organized for that reason. Not as  
21 organized.22 Q. Have you searched all documents  
23 that you had in your possession?

24 A. I have.

25 Q. Have you searched all the documents

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1  
2 that you had in other people's basements that were  
3 yours?

4 A. I have.

5 Q. Is there anywhere else other than  
6 in your house or someone else's basement where you  
7 have records stored?

8 A. I have looked -- I looked everywhere  
9 where I have my personal belongings and I cannot  
10 locate it, but I just have to keep looking because  
11 that is not a document that I carry in my bag.  
12 So, it could be stuck between pieces of paper and  
13 I overlooked it . It could be inside of a book  
14 and I overlooked it.

15 Q. Do you think it is lost?

16 A. No, I do not.

17 Q. Do you have a social security card?

18 A. I do.

19 Q. Where is that?

20 A. I don't know where it is at the  
21 moment.

22 Q. Have you searched for it?

23 A. Yes.

24 Q. Where have you searched?

25 A. All of my documents and bags and



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2 clothes and I can't seem to locate it at the  
3 moment.

4 Q. When is the last time that you saw  
5 it?

6 A. I honestly don't know. That is not  
7 a document that I carry.

8 Q. Have you seen it in the last five  
9 years?

10 A. I have seen it in the last five  
11 years.

12 Q. Is that a document you keep track  
13 of?

14 A. When you say keep track of, what do  
15 you mean?

16 Q. Is that a document that you retain  
17 in a safe place?

18 A. It's a document that I do retain.  
19 A safe place would be my own house. Since I'm not  
20 in my own house it is not in a safe place. That  
21 is why I can't find it. If I were in my own house  
22 I would have it handy.

23 Q. Do you think it is important to  
24 keep the social security card in a safe place?

25 A. It is important.

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2 Q. Why haven't you -- as a victim of  
3 alleged identity theft, did you need to locate the  
4 social security card?

5 MR. MALLON: Objection, form.

6 A. I'm sorry?

7 Q. Has anyone asked for a copy of your  
8 social security card prior to this litigation?

9 A. No.

10 Q. Did you look for the card in the  
11 context of your alleged identity theft?

12 MR. MALLON: Objection, asked and  
13 answered.

14 A. Can you repeat that again?

15 Q. Did you look for the social  
16 security card in the context of your alleged  
17 identity theft?

18 MR. MALLON: Same objection.

19 A. What do you mean in the context of  
20 my alleged identity theft?

21 Q. You claim that your identity was  
22 stolen in the past.

23 A. My identity was stolen, correct.

24 Q. And you investigated that theft; is  
25 that right?

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2 A. That's correct.

3 Q. During that investigation did you  
4 locate your social security card?5 A. I didn't have a need for the  
6 physical card. So it wasn't something that I had  
7 to look for or give to anyone.8 Q. Did you verify where it was located  
9 during your investigation?10 A. When I was at home, yes, I knew  
11 where it was. Since I'm not at home, it is just -- I don't  
12 know where it is. I know it is not lost in the  
13 street, that I know.

14 Q. You lost track of it?

15 A. It's amongst my possessions  
16 somewhere. I have to keep looking for it.

17 Q. Do you have a passport?

18 A. I do.

19 Q. Where is that located?

20 A. I cannot locate that at the moment  
21 either.22 Q. When is the last time that you saw  
23 that?24 A. Probably early 2000s, the last time  
25 that I travelled overseas.

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Q. And you have since lost track of it?

A. I'm not sure where it is, correct.

Q. Have you looked for it?

A. Yes, I have.

Q. When?

A. I have been looking for it for the last couple of months.

Q. Have you searched all of your belongings?

A. Correct.

Q. Do you have any idea where it could be?

A. Amongst my belongings somewhere and I anticipate that when I do finally get settled again I will find all of my documents. None of my documents are lost in the street.

Q. So it is somewhere in your possession?

A. Somewhere.

Q. Did you ever report a missing social security card?

A. No.

Q. Did you ever report a missing passport?

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2 A. No.

3 Q. What about a missing birth  
4 certificate?

5 A. No.

6 Q. Have you ever sought to replace any  
7 of those documents?8 A. Not yet, because know I have them,  
9 so I'm not overly concerned about it because I  
10 know that I didn't have them in my bag and then my  
11 bag was dropped in the street and they are somewhere in  
12 the street. I know they are amongst my possessions  
13 somewhere.14 Q. Do you plan on reporting these  
15 documents as missing?16 A. If I determine they are missing, I  
17 will.

18 Q. How do you make that determination?

19 A. Once I'm settled and have all of  
20 any possessions and I'm able to take the time and  
21 look through every single item piece by piece I  
22 will make that determination.23 Q. When do you expect that could be  
24 made?

25 A. I don't know.

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2 Q. Until then you feel comfortable  
3 assuming that the documents are somewhere?

4 A. I do know that they are somewhere.  
5 I just don't know exactly where they are.

6 Q. Does it ever concern you that as a  
7 victim of identity theft these documents are not  
8 safely in your possession?

9 MR. MALLON: Objection, form.

10 A. I did not lose my documents and it  
11 is important to me to find them because I don't lose  
12 important things like that. So I'm concerned about  
13 the fact that, you know, I'm so unorganized at  
14 this point that I can't find my important documents.  
15 But I know that they have not been stolen and know  
16 they are not lost in the street or in some strange  
17 place.

18 Q. Are you currently married?

19 A. No.

20 Q. Have you ever been?

21 A. No.

22 Q. Do you have any children?

23 A. No.

24 Q. Have you ever?

25 A. No.

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2 Q. Let's get back to the topic of your  
3 address?

4 MR. MALLON: Can we take a break?

5 MR. STRAZZERI: That's fine.

6 THE VIDEOGRAPHER: We are going off  
7 the record at 10:34 a.m.

8 (Recess taken.)

9 THE VIDEOGRAPHER: We are back on the  
10 record at 10:39 a.m.

11 BY MR. STRAZZERI:

12 Q. You understand, Miss Jones, when we  
13 take a break and return you're still under oath?

14 A. Yes.

15 Q. Is there anyone who you support  
16 besides yourself?

17 A. No.

18 Q. I want to get back to the address  
19 that you -- your residential history and the address  
20 that you listed before.

21 For how long have you been staying  
22 at apartment 5X at 1020 Grand Concourse?

23 A. Off and on since 2007.

24 Q. Describe what you mean when you say  
25 off and on?

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2 A. Periodically.

3 Q. How frequent do you stay in

4 apartment 5X?

5 A. I haven't been there recently.

6 Q. When is the last time that you were

7 there?

8 A. What is this 2013. 2011, I believe.

9 Q. The last time that you stayed at

10 apartment 5X was in 2011?

11 A. Right.

12 Q. Which month?

13 A. I don't recall.

14 Q. Which season?

15 A. I don't remember.

16 Q. Where have you been staying since

17 2011?

18 A. I have been in Queens.

19 Q. At what address -- is that where

20 you're currently -- where you slept last night?

21 A. Yes.

22 Q. Is that where you usually stay?

23 A. I have been there, yes.

24 Q. What is the address at Queens?

25 A. 107-27 154th Street.



KEISHA JONES - 1/10/2013

1 KEISHA JONES

2 Q. For how long have you been staying  
3 there?

4 A. I have been there for the most part  
5 since -- this is 2013, 2011.

6 Q. Since moving from apartment 5X?

7 A. Yes.

8 Q. Is it an apartment or house?

9 A. It's a two-family house.

10 Q. Do you rent there?

11 A. No. I don't have any lease.

12 Q. Do you pay rent?

13 A. No.

14 Q. Who owns the property?

15 A. My mother.

16 Q. For how long has she lived there?

17 A. More than ten years.

18 Q. Did you consider that your  
19 permanent residence?

20 MR. MALLON: Objection, form.

21 A. For the moment, correct.

22 Q. Why have you chosen not to use that  
23 address in your official or business capacity?

24 A. Because all of my business is  
25 concentrated in a P.O. Box 634. And since I am

KEISHA JONES - 1/10/2013

1 KEISHA JONES

2 still not settled, I thought it best to keep all  
3 of my information in the same place as opposed to  
4 constantly changing addresses as I have constantly  
5 been moving around to make sure that I don't miss  
6 anything.

7 Q. Would you describe the address on  
8 154th Street as your legal residence?

9 MR. MALLON: Objection, form.

10 A. I don't know what the definition of  
11 legal residence is.

12 Q. What is your understanding of the  
13 term?

14 A. I don't know.

15 MR. MALLON: Objection, form.

16 Q. If I say the word official  
17 residence, would you understand?

18 A. What is meant by official?

19 Q. How would you describe your  
20 residence at your mother's house at 154th Street?

21 MR. MALLON: Objection, form.

22 A. I'm staying with my mother  
23 temporarily.

24 Q. Do you live there?

25 MR. MALLON: Same objection.

KEISHA JONES - 1/10/2013

1 KEISHA JONES

2 A. I'm staying there. I guess staying  
3 and live are the same.

4 Q. Do you have your own room?

5 A. Yes.

6 Q. Do you keep personal belongings  
7 there?

8 A. Yes.

9 Q. Who else lives there other than  
10 your mother?

11 A. Myself and my mother.

12 Q. Anyone else?

13 A. No.

14 Q. Since moving there in 2011, have  
15 you lived or stayed anywhere else?

16 A. No.

17 Q. So you have stayed there  
18 consistently since 2011?

19 A. Yes.

20 Q. Do you receive mail there?

21 A. No.

22 Q. Do you ever list the address on  
23 154th Street as your residence or your address?

24 A. No. The only instance where I  
25 needed to give that address was for the FBI which

KEISHA JONES - 1/10/2013

1 KEISHA JONES

2 was a couple of weeks ago, because they would not  
3 take my mailing address, and they asked me for a  
4 street address. So I gave them that street address.

5 Q. For what reason was the FBI asking  
6 for your address?

7 A. For a background check.

8 Q. For what purpose?

9 A. For a contract.

10 Q. What type?

11 A. Work.

12 Q. What type of work contract?

13 A. What do you mean what kind of work?

14 Q. Describe what contract you referred  
15 to with the FBI?

16 A. I was offered a position, however I  
17 needed to pass or clear a background check. So  
18 the offer is contingent upon that check.

19 Q. What position?

20 A. It is called a communications  
21 specialist.

22 Q. Which branch of the FBI are you  
23 seeking employment?

24 A. The FBI is doing the background  
25 check, so that is who I gave permission to do the

KEISHA JONES - 1/10/2013

1 KEISHA JONES

2 background check. I was told that I needed to  
3 clear a background check. Department Of Homeland  
4 Security and FEMA are the agencies that need --  
5 that are doing the work.

6 Q. So you're applying for a  
7 communications specialist position?

8 A. Correct.

9 Q. And that position is with FEMA of  
10 the Department of Homeland Security?

11 A. Correct.

12 Q. Because of that application the FBI  
13 is doing a background check?

14 A. Correct.

15 Q. And you gave the FBI your address  
16 at 154th Street?

17 A. I gave them both my P.O. Box 634  
18 and that I was told that they would not take that,  
19 they needed a physical street address and I gave  
20 them the 107 -- the address on 154th Street.

21 Q. Did they explain their reasoning  
22 for requesting a physical street address?

23 A. They said the FBI needs a physical  
24 street address and I said that is fine and I  
25 explained to them what happened briefly and they

KEISHA JONES - 1/10/2013

1 KEISHA JONES

2 said that is fine, but we do need the street  
3 address.

4 Q. When did you apply for the  
5 position?

6 A. I was offered the position on  
7 December 17th, 2012.

8 Q. When did you apply for the  
9 position?

10 A. December 17th, 2012.

11 Q. You were offered it the same day  
12 that you applied?

13 A. Yes.

14 Q. Did you accept the offer?

15 A. I did accept the offer and it is  
16 all contingent upon the background check.

17 Q. Has that been completed?

18 A. No, it has not.

19 Q. Have you paid any rent while  
20 staying at 154th Street?

21 A. No.

22 Q. Where did you stay or live prior to  
23 living with your mother?

24 A. 1020 Grand Concourse.

25 Q. And that is apartment 5X?

KEISHA JONES - 1/10/2013

1 KEISHA JONES

2 A. And 24D.

3 Q. What apartment were you staying  
4 immediately before moving to Queens?

5 A. 5X.

6 Q. Who lived there?

7 A. Miss Horn.

8 Q. Who is Miss Horn?

9 A. The person whose apartment that is.

10 Q. What is her first name?

11 A. Elizabeth.

12 Q. Do you have any relationship to  
13 Elizabeth Horn?

14 A. She is a friend.

15 Q. For how long did you stay in Miss  
16 Horn's apartment?17 A. I was there for a while. Between '07  
18 and '11.19 Q. Between 2007 and 2011 you lived in  
20 Miss Horn's apartment at 5X?21 A. I was there -- I was there as well  
22 as another friend's house that I stayed at  
23 periodically.

24 Q. What other friend?

25 A. Another -- just another friend. I

KEISHA JONES - 1/10/2013

1 KEISHA JONES

2 didn't live there. I just stayed there off and on.

3 Q. What is the name?

4 A. Miss Watson.

5 Q. What is Miss Watson's first name?

6 A. Susan.

7 Q. At what address did you say with  
8 Miss Susan Watson?9 A. She is in Yonkers, I don't remember  
10 the address off the top of my head. I have to get  
11 it.

12 Q. What is the name of the street?

13 A. I would have to get the address, I  
14 don't remember now.

15 Q. Do you remember the street name?

16 A. Landscape Avenue.

17 Q. Is there a particular section of  
18 Yonkers?

19 A. Just Yonkers.

20 Q. I'm not familiar how that breaks  
21 apart there.

22 A. Me neither.

23 Q. If there is any particular  
24 neighborhoods.

25 What portion of the period from



KEISHA JONES - 1/10/2013

1 KEISHA JONES

2 2007 to 2011 did you stay in apartment 5X with  
3 Miss Horn?

4 A. It was '07 to I want to stay '09, I  
5 believe. '07 to -- I don't remember the exact  
6 dates. I have been displaced since '07. So I  
7 have been a couple of places.

8 Q. I need to just get a clear  
9 understanding where you were residing between 2007  
10 and 2011. Why don't you describe where you lived  
11 during that period?

12 A. I was at 1020 Grand Concourse, I  
13 was in Yonkers, and I was in Queens.

14 Q. So you stayed concurrently at the  
15 same time at these different addresses?

16 MR. MALLON: Objection to form.

17 A. When you say --

18 Q. Over that period some nights you  
19 would stay at one address and some nights you  
20 would stay at other addresses?

21 A. Yes, pretty much.

22 Q. It wasn't that for a year you lived  
23 here and a year you lived there?

24 A. Correct.

25 Q. Can you give me an idea of what

KEISHA JONES - 1/10/2013

1 KEISHA JONES

2 portion of your time you spent at apartment 5X?

3 A. 2007 is the earlier part.

4 Q. You stayed there every night?

5 A. Most nights.

6 Q. Until when?

7 A. Until about -- I have been in all  
8 three places during that time, so it is -- from  
9 2007 until about '9 or '10 -- I will have to go  
10 back and -- I have to go back and just check my --  
11 just look through my documents to give you exact  
12 dates. But between 2007 and now those are the  
13 three places that I have been.

14 Q. Would you say over that time period  
15 between 2007 and now you have had multiple  
16 residences?

17 A. That's correct.

18 Q. At the same time?

19 A. Well, I guess if you want to say at  
20 the same time going from place to place and back  
21 and forth, if that is what you want to say.

22 Q. Is that what you say? Is that your  
23 testimony?

24 A. No.

25 Q. What is your testimony?

KEISHA JONES - 1/10/2013

1 KEISHA JONES

2 A. I have lived -- I have been in  
3 three residences over the course for '07 to now.

4 Q. You mixed up which apartments  
5 you're staying in over that time period?

6 MR. MALLON: Objection, asked and  
7 answered multiple times.

8 A. I have been between the three  
9 addresses.

10 Q. Other than those three address,  
11 have you lived or stayed anywhere else since 2007?

12 A. No.

13 Q. Where did you live in 2007?

14 A. 2010 Grand Concourse.

15 Q. Which apartment?

16 A. 24D.

17 Q. Who owned apartment 24D?

18 A. I did.

19 Q. When did you purchase it?

20 A. 1997.

21 Q. What was the purchase price?

22 A. I don't recall the purchase price.

23 Q. Did you have a mortgage?

24 A. Yes.

25 Q. How many?

KEISHA JONES - 1/10/2013

1 KEISHA JONES

2 A. One and a HELOC, a line of credit.

3 Q. Who was the mortgage with?

4 A. Chase was the primary and Citibank  
5 was the line of credit.6 Q. Were you the -- did you own it  
7 solely or jointly with anyone else?

8 A. Individually.

9 Q. The mortgages were solely through  
10 your name?

11 A. Yes.

12 Q. You said before you were displaced  
13 in 2007, describe what you mean?14 A. My identity -- I discovered my  
15 identity theft in '05, so from '05 up to this  
16 point I have been -- well, between '05 and '07 I  
17 have been dealing with the whole identity theft  
18 situation and it has been a real serious problem.  
19 So I wasn't able to work. And I wasn't able to  
20 maintain my normal professional status because of  
21 all that was going on. And so I had to -- I couldn't pay  
22 my bills.

23 Q. Did you default on both mortgages?

24 A. I couldn't pay the mortgages,  
25 that's correct.

KEISHA JONES - 1/10/2013

1 KEISHA JONES

2 Q. Did you default on the mortgage?

3 A. Yes.

4 Q. Did you default on the HELOC?

5 A. Yes.

6 Q. What happened as a result?

7 A. Someone bought the note and I had  
8 to leave. I had to vacate.

9 Q. Foreclosure proceedings were  
10 brought against you?

11 A. They started, but I don't believe -- I  
12 don't think it went that far. Someone bought the  
13 note and that was it. That was my understanding.  
14 I don't know if there was an actual sale. I don't  
15 know.

16 Q. Where did the proceeds from that  
17 purchase go?

18 A. There were no proceeds.

19 Q. The bank sold the note?

20 A. I'm assuming so.

21 Q. Were you in default of your co-op  
22 maintenance payments as well?

23 A. Yes.

24 Q. Did they bring legal action against  
25 you?

KEISHA JONES - 1/10/2013

1 KEISHA JONES

2 A. Yes.

3 Q. Did they petition to evict you?

4 A. Yes.

5 Q. Describe what occurred?

6 A. They filed papers to evict me and  
7 that is what happened.

8 Q. Were they successful?

9 A. I left. I mean no one had to  
10 escort me out.

11 Q. Did they bring legal action to  
12 collect payments?

13 A. Yes.

14 Q. Did they collect it?

15 A. No.

16 Q. There was an outstanding unpaid  
17 balance?

18 A. Yes.

19 Q. Do you recall how much?

20 A. No.

21 Q. Was there an unpaid balance on your  
22 mortgage?

23 A. Yes.

24 Q. Was that ever paid?

25 A. Not by me.

KEISHA JONES - 1/10/2013

1 KEISHA JONES

2 Q. What about the HELOC, was there an  
3 unpaid balance?

4 A. Yes.

5 Q. Past due amount?

6 A. Yes.

7 Q. Was that ever paid?

8 A. Not by me.

9 Q. Do you have documents concerning  
10 the actions brought against you in the context of -- with  
11 respect to apartment 24D?

12 A. No.

13 Q. What happened to those documents?

14 A. They probably got cleared out with  
15 some other things that I thought I no longer  
16 needed.

17 Q. When did you clear documents out?

18 A. This is 2013, 2011, I think or '12.  
19 I don't know exact date.

20 Q. What do you mean when you say  
21 cleared out?

22 A. Meaning that I went through some  
23 things -- I just had a lot of paperwork and I went  
24 through things and called the IRS and found out  
25 what I needed to keep and what I didn't need to

KEISHA JONES - 1/10/2013

1 KEISHA JONES

2 keep and if I felt I didn't need it, I shredded it.

3 Q. Was that -- you filed your lawsuit  
4 in December, 2012; is that right?

5 A. '11.

6 Q. You're right. You filed the  
7 lawsuit in December, 2011; is that right?

8 A. Correct.

9 Q. Was this instance where you cleared  
10 documents before or after December, 2011?11 A. I don't recall the exact date that  
12 I cleared out the documents. I would have to  
13 double-check.

14 Q. How could you determine the date?

15 A. I would have to go back and look at  
16 my calendar. Or look at a calendar.

17 Q. Where would that calendar be kept?

18 A. I just use an online calendar.

19 Q. Is it a particular file?

20 A. No.

21 Q. Where is the information stored for  
22 the calendar?23 A. I just use an online calendar. If  
24 I look at a calendar I will be able to recall what  
25 I did because, you know, it is either before or





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1 KEISHA JONES

2 A. What do you mean where would it  
3 appear?

4 Q. How did you use that address as  
5 your residence?

6 MR. MALLON: Objection, form.

7 A. It was my primary residence.

8 Q. Did you put it on your driver's  
9 license?

10 A. No.

11 Q. Did you put it on any other  
12 government forms?

13 A. Yes.

14 Q. Which forms?

15 A. Tax returns.

16 Q. So you filed your tax returns over  
17 the period from 1997 to 2007 with that as your  
18 legal address?

19 A. Correct.

20 Q. What address have you used for tax  
21 purposes after 2007?

22 A. P.O. Box 634.

23 Q. For what other official or business  
24 purpose did you use your address at 1020 Grand  
25 Concourse?

KEISHA JONES - 1/10/2013

1 KEISHA JONES

2 A. Whatever I was -- work.

3 Q. When you conducted any personal  
4 business since 2007 which address did you use?

5 MR. MALLON: Objection, form.

6 A. After I was displaced I used my  
7 P.O. Box exclusively, P.O. Box 634.8 Q. Before being displaced in 2007,  
9 which address did you use for personal business?10 MR. MALLON: Objection, asked and  
11 answered.

12 A. 1020 Grand Concourse, 24D.

13 Q. Did you use a P.O. Box number for  
14 business purposes before 2007?15 A. I had the P.O. Box at the same time  
16 that I was at 1020, so, with respect to my credit  
17 reports, the P.O. Box has been on there for a  
18 couple of years. With the P.O. Box being on there  
19 and then 1020 Grand Concourse, apartment 24D.  
20 Those are the two addresses that have been used.21 Q. You were using the P.O. Box number  
22 even during the time period that you lived in 24D?

23 A. Yes.

24 Q. And you were using it on  
25 applications for credit?

KEISHA JONES - 1/10/2013

1 KEISHA JONES

2 A. No.

3 Q. Which address would you use on  
4 applications for credit?5 MR. MALLON: Objection. At what  
6 time?7 Q. During the period where you lived  
8 at apartment 24D which address did you use to  
9 apply for credit?10 A. When I was living in my apartment  
11 at 1020 Grand Concourse number 24D I used my  
12 address if I was applying for credit up until  
13 2006.14 Q. The period of time when you lived  
15 at 24D what address did you use for utilities?16 A. My utilities were included in my  
17 maintenance.18 Q. What address did you use while  
19 living at 24D for your telephone or cellular  
20 phone?21 A. That it either went to the  
22 apartment, 24D or it could have gone to the P.O.  
23 Box. I don't remember.24 Q. Did you use both addresses for  
25 those types of reasons?

KEISHA JONES - 1/10/2013

1 KEISHA JONES

2 MR. MALLON: Objection.

3 A. I don't recall. It could have been  
4 both. It could have been either or. Because  
5 there is some entities that say you can have a  
6 mailing address but please give us your street  
7 address. So both addresses could have been on  
8 file at the same time.

9 Q. What address over that time period  
10 when you lived in 24D would you use for medical  
11 reasons?

12 A. My home address or it could have  
13 been the P.O. Box.

14 Q. You used both?

15 A. Yes.

16 Q. Which P.O. Box?

17 A. P.O. Box 634.

18 Q. Do you own a time share?

19 A. I did.

20 Q. When?

21 A. That was some years ago. I don't  
22 remember. It was some years ago. I can't  
23 remember exactly when.

24 Q. Where was it?

25 A. In Florida.

KEISHA JONES - 1/10/2013

1 KEISHA JONES

2 Q. Was it before or after 2007?

3 A. Before.

4 Q. Through which company?

5 A. Marriott.

6 Q. What is the status, what happened?

7 A. I don't know, I tried to sell it  
8 back to them, they said you could sell it back and  
9 I went through the process and nothing happened.  
10 So I just let it go. I don't know what happened.  
11 I gave up.

12 Q. Did you have to make payments for  
13 it?

14 A. There were payments.

15 Q. Did you default on the payments?

16 A. Yes.

17 Q. So did they repossess or foreclose  
18 on it?

19 A. I don't know what they did, to be  
20 quite honest.

21 Q. But you don't own it now?

22 A. No, not to my knowledge, I don't.

23 Q. How often did you use it?

24 A. Before identity theft I would use  
25 it quite often, probably once a year, once every

KEISHA JONES - 1/10/2013

KEISHA JONES

1  
2 other year.

3 Q. What portion of the year would you  
4 use it as your residence?

5 A. It wasn't a residence, it is strictly  
6 vacation.

7 Q. One week a year?

8 A. Yes.

9 Q. Since 1997 have you lived anywhere  
10 other than apartment 24D, apartment 5X at 1020  
11 Grand Concourse, 107-27 154th Street and in  
12 Yonkers?

13 A. No.

14 Q. Have you stayed anywhere other than  
15 those locations?

16 A. No.

17 Q. Have you ever lived in Pennsylvania?

18 A. Never.

19 Q. Have you ever lived in New Jersey?

20 A. Never.

21 Q. Prior to 1997 where did you -- for  
22 how long did you live at 915 East 17th Street?

23 A. I grew up there. I grew up in that  
24 house and I left when I purchased my apartment in  
25 1997.



KEISHA JONES - 1/10/2013

1 KEISHA JONES

2 Q. So from birth until 1997 that was  
3 your sole residence?

4 A. That is a family house, my mother  
5 lived other places, but that is a family house.  
6 That was my default.

7 Q. Do you have any family members who  
8 live in Pennsylvania?

9 A. No.

10 Q. Have you ever lived in North  
11 Carolina?

12 A. I went to North Carolina. I was  
13 going to split my time between New York and North  
14 Carolina, but that did not occur because the  
15 identity theft happened while I was in the midst  
16 of doing that.

17 Q. Why were you going to split your  
18 time between New York and North Carolina?

19 A. Because I wanted to be in a warmer  
20 place and I chose North Carolina and was going to  
21 split my time between North Carolina and New York  
22 and that didn't work out.

23 Q. Did you take any efforts to start  
24 that process?

25 A. Sorry?



KEISHA JONES - 1/10/2013

1 KEISHA JONES

2 Q. Did you take any efforts to start  
3 the process of moving?

4 A. Yes, I did.

5 Q. What did you do?

6 A. I went to North Carolina and I  
7 bought a house.

8 Q. Where did you buy the house?

9 A. In Charlotte.

10 Q. What was the address?

11 A. I don't remember the number. But  
12 it was Dauphine either road or place.

13 Q. Is there a particular section of  
14 Charlotte where it was located?

15 A. I don't know Charlotte that well.  
16 I just know it was Charlotte. I know it is broken  
17 into sections, but I don't recall the section.

18 Q. Do you have documents concerning  
19 the purchase?

20 A. I do not.

21 Q. Where are those?

22 A. They got cleared out with my other  
23 documents because I didn't think I needed them.

24 Q. When did you purchase the property?

25 A. Let's see, that was probably

KEISHA JONES - 1/10/2013

1 KEISHA JONES

2 identity theft I discovered in '05. Prior to  
3 identity theft so prior to '05..

4 Q. How long before 2005 did you  
5 purchase the property in North Carolina?

6 MR. MALLON: Objection.

7 A. Not long before. It wasn't like  
8 five or six years before. It was not long before,  
9 but I don't remember the exact time.

10 Q. How many homes have you purchased  
11 over your lifetime?

12 A. My apartment and that home.

13 Q. And you don't know which year you  
14 bought that home?

15 A. I believe it was -- it was between -- I'm  
16 going to give you a range. It was between '03 and  
17 '05.

18 Q. What was the purchase price?

19 A. I don't recall. But it was less  
20 than 200.

21 Q. 200,000?

22 A. Correct.

23 Q. Did you have a mortgage?

24 A. Yes.

25 Q. Which lender?

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1 KEISHA JONES

2 A. I don't remember the name, but I  
3 did have a mortgage.

4 Q. Do you remember which bank?

5 A. It wasn't one of your large banks,  
6 it was another one. I forget the name.

7 Q. Did you own it individually or  
8 jointly?

9 A. Individually.

10 Q. Did you have a letter of credit or  
11 mortgage on the property?

12 A. It was an 80/20 so there were two  
13 mortgages on the house.

14 Q. Do you remember the lender on  
15 either of the mortgages?

16 A. Option One, that is what it is.  
17 Option One.

18 Q. What happened to your ownership of  
19 the property? Do you still own it?

20 A. No, I do not.

21 Q. What happened?

22 A. It was sold. I believe it was a  
23 short sale because I had the issue here in New  
24 York with the identity theft.

25 Q. How did the identity theft affect

KEISHA JONES - 1/10/2013

1 KEISHA JONES

2 the North Carolina residence?

3 A. When I discovered -- I discovered  
4 the identity theft and then -- it was in the  
5 process of -- I was going to rent out my apartment  
6 and I had an issue with the -- I had an issue with  
7 the floor, so I had a dispute with the flooring  
8 company. That was one thing.

9 And when I was disputing or  
10 fighting with flooring company to come fix the  
11 floors, shortly thereafter I found out my identity  
12 was stolen and money was stolen and then I had  
13 to -- I just couldn't move forward with my plans  
14 in North Carolina and I had to take care of what  
15 was happening in New York.

16 Q. How did the identity theft prevent  
17 you from moving to North Carolina?

18 A. Money was stolen from my bank  
19 account and at that time when I realized what was  
20 going on it was in the news and it could be  
21 Googled today, it was a massive bank data theft  
22 and as far as I was concerned it was much bigger  
23 than just my little bit of money being stolen.

24 And when the money was stolen other  
25 things started to happen. I found out about the

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1 KEISHA JONES

2 driver's license in Pennsylvania. Fraudulent  
3 accounts, everything associated with the identity  
4 theft started to unfold.

5 MR. STRAZZERI: We are going to take  
6 a quick break so the videographer can change  
7 the tape.

8 THE VIDEOGRAPHER: Going off the  
9 record at 11:15 a.m. and this marks the end  
10 of tape one.

11 (Recess taken.)

12 THE VIDEOGRAPHER: We are back on the  
13 record at 11:26 a.m. and this marks the  
14 beginning of tape number two.

15 BY MR. STRAZZERI:

16 Q. Miss Jones, before we broke for the  
17 videographer to replace the tape you testified  
18 that you bought a house in Charlotte, North  
19 Carolina; is that correct?

20 A. Correct.

21 Q. Did you still own the apartment at  
22 24D?

23 A. Yes.

24 Q. Why didn't you move into the  
25 apartment in Charlotte, the house in Charlotte?

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2 A. Because as I was making my  
3 transition and preparing to rent my apartment, I  
4 had a problem with the flooring company, then I  
5 discovered the identity theft, and it wasn't just  
6 my identity theft, it was in the news and well  
7 documented in 2005 that there was a massive bank  
8 data theft of employees stealing people's  
9 information. So it was quite a bit to do here at  
10 home.

11 So I couldn't just get up and go  
12 knowing that I had this fraud issue to deal with.  
13 And it was prior to New York enacting the Security  
14 Freeze Law.

15 Q. Why couldn't you handle the issue  
16 from North Carolina?

17 A. It didn't make sense to do that.

18 Q. Why?

19 A. I needed to be here because I  
20 didn't know what was happening. I never had any  
21 problems with my credit. I never had any fraud or  
22 dealing with the police. I never had any issue.  
23 I didn't know what was happening or what was going  
24 on. I never had money stolen out of a bank  
25 account. None of those things happened to me.

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1 KEISHA JONES

2 Q. How much was stolen from you?

3 A. I don't recall.

4 Q. We will get to the details later.

5 Did you default on the mortgages on  
6 the Charlotte, North Carolina property?7 A. That was a short sale yes, because  
8 I couldn't pay the bills.9 Q. When you say short sale, what do  
10 you mean?11 A. It was sold for less than what was  
12 owed.13 Q. So the bank foreclosed on the  
14 property?15 A. No, not to my knowledge. My  
16 knowledge it was a short sale because someone sold  
17 it.

18 Q. You sold it?

19 A. It was sold in a short sale.

20 Q. Who sold it?

21 A. I had a realtor at the time.

22 Q. Who was that realtor?

23 A. Coldwell Banker.

24 Q. And you retained them to sell the  
25 property?

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1  
2 A. Correct.

3 Q. Who covered the loss?

4 A. I don't understand the question.

5 Q. You say it was sold for an amount  
6 less than you paid.

7 A. Yes.

8 Q. Who bore that loss?

9 A. It's a short sale, so I'm not an  
10 accountant.

11 Q. Did the bank ever take any legal  
12 action against you?

13 A. I don't know -- I don't recall if  
14 they started a foreclosure proceeding, I don't  
15 recall. I do recall that it was a short sale.  
16 So, if they started it and then it stopped because  
17 the property got sold, that could be, but I don't -- that is  
18 as much as I remember.

19 Q. The account was defaulted?

20 A. Correct.

21 Q. Did they ever seek to recover the  
22 amount that you owed them?

23 A. I don't recall a deficiency  
24 judgment. I don't recall that.

25 Q. What do you recall with respect to



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1 KEISHA JONES

2 the amount that was lost?

3 A. I recall that it was just a short  
4 sale. I don't recall them -- I don't recall them  
5 suing me after the house was sold for anything.

6 Q. So you just walked away from that  
7 sale?

8 A. Once it was sold, I would say as  
9 far as I recall.

10 Q. Did you put any money down?

11 A. No, that was an 80/20.

12 Q. What does that mean?

13 A. I had two mortgages. One was for  
14 80 percent of the price and the other was for  
15 20 percent of the price.

16 Q. So you bought the property without  
17 putting a penny down?

18 A. Correct.

19 Q. And it was sold for less than what  
20 you paid for it?

21 A. I believe so.

22 Q. And then you just walked away from  
23 that transaction without bearing any loss?

24 A. I'm sure -- with the short sale I  
25 mean -- I may have gotten a 1099 C on that. But I

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2 don't recall. But probably.

3 Q. What is a 1099 C?

4 A. Where they look at it as like  
5 income to me because they received less money than  
6 what was owed. It appears as though I received  
7 some income which I never got any money.

8 Q. Did you ever pay any money toward  
9 that house?

10 A. Yes, I paid my -- I made my  
11 payments when I was -- prior to all -- prior to  
12 the fraud, yes.

13 Q. For how long did you own the  
14 property?

15 A. Not long. I don't recall. But it  
16 wasn't long.

17 Q. Under a year?

18 A. I would say less than two years, I  
19 don't recall exactly but I'm going -- definitely  
20 less than two years.

21 Q. Did you have to pay any money as a  
22 result of the short sale?

23 A. I don't recall. I don't recall the  
24 details of it.

25 Q. Do you recall paying any money?

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2 A. I don't recall.

3 Q. Do you know if there are any liens  
4 against you with respect to that property?

5 A. Not that I know of.

6 Q. Are there any liens against you  
7 with respect to the property at 1020 Grand  
8 Concourse?

9 A. Liens meaning?

10 Q. Tax liens.

11 A. Not that I recall. I mean, you  
12 know, not from -- looking at my credit reports  
13 there is something on there, but, I'm not looking  
14 at my credit reports right now. But I do believe  
15 there is something on there.

16 Q. Have you ever been notified that  
17 there is any sort of lien against the property  
18 that you held at 1020 Grand Concourse?

19 A. A lien when?

20 Q. Ever. Were you ever notified that  
21 any entity or government agency was putting a lien  
22 against your property at 1020 Grand Concourse?

23 A. Not that I -- no, not that I  
24 recall, no.

25 Q. Do you remember receiving any

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2 correspondence regarding liens generally?

3 A. I don't recall that, no.

4 Q. Did you ever use the address in  
5 Charlotte, North Carolina as your residence?

6 A. No.

7 Q. Did you ever file any income taxes  
8 with that address?

9 A. I don't believe I filed an income --  
10 a return at that address, no. No.

11 Q. Did you ever use that address on  
12 any of your business accounts, personal accounts?

13 A. No, other than maybe to set up  
14 utilities there.

15 Q. Did you use it to set up utilities  
16 there?

17 A. I believe I set up utilities there.

18 Q. And they would required you to  
19 apply for credit with them?

20 MR. MALLON: Objection to form.

21 A. I don't recall applying for credit  
22 to turn on lights.

23 Q. Did you use that address to apply  
24 for credit with anyone other than utilities?

25 A. No.

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Q. Have you ever owned or lived anywhere other than the addresses that we discussed?

A. No.

Q. Have you ever owned any property elsewhere?

A. No.

Q. Do you have a car?

A. No.

Q. Have you ever?

A. Yes.

Q. When?

A. 1997, '98, somewhere thereabouts.

Q. Have you ever had a car since then?

A. No.

Q. Did you graduate from high school?

A. Yes.

Q. From where?

A. Stevenson in the Bronx.

Q. During which years did you attend?

A. I graduated from high school in 1987.

Q. After high school did you continue your education at all?

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1  
2 A. Yes.

3 Q. Where?

4 A. Long Island University.

5 Q. When?

6 A. 1987 to 1991.

7 Q. What did you study?

8 A. Marketing.

9 Q. Did you receive any degree?

10 A. I have a bachelor's in marketing.

11 Q. Do you have any student loans?

12 A. Yes.

13 Q. Who is the lender?

14 A. Sallie Mae.

15 Q. Have you ever defaulted on those

16 payments?

17 A. Yes.

18 Q. When?

19 A. After my identity theft, so  
20 sometime after '05. Sometime between '05 and '09.

21 Q. What is the current status?

22 A. I spoke to them and I'm working on  
23 getting that paid up.

24 Q. Is it still in default?

25 A. Yes, as we speak, yes.

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2 Q. Has it been in default since 2005?

3 A. No, it wasn't in default in 2005, I  
4 don't think.

5 Q. When did it go into default?

6 A. I'm not sure what year it went into  
7 default. I have to check.8 Q. Has it been in default the last  
9 five years?10 A. I have to check. I have to call  
11 them to know for sure.12 Q. Have you received any other degrees  
13 or certificates other than the bachelor's degree?

14 A. I have a Master's degree.

15 Q. From where did you receive that?

16 A. Long Island University.

17 Q. When?

18 A. 1996.

19 Q. Do you have any student loans?

20 A. My undergraduate student loans,  
21 yes.22 Q. Do you have any student loans from  
23 the master's degree?

24 A. No.

25 Q. Master's program?





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2 the '90s.

3 Q. What else?

4 A. Anything that was old that I didn't  
5 need or, you know, just I just didn't need.6 Q. Did this include documents  
7 pertaining to your ownership of apartment 24D?

8 A. They probably were in there, yes.

9 Q. Did this include documents  
10 pertaining to the ownership of the property in  
11 Charlotte?12 A. Yes, they were probably in there  
13 also.14 Q. Did it include any documents  
15 regarding your credit file?16 A. No, anything that I could find I  
17 set aside.18 Q. Did you discard any documents  
19 comprising of correspondence or communications  
20 with Experian?21 A. Anything that I could find that had  
22 anything to do with my credit reports, I set  
23 aside.24 Q. Did you destroy any documents  
25 concerning Comcast or CFC or Hahnemann?

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2 A. Not knowingly, no.

3 Q. During that destruction, do you  
4 recall including any documents concerning those  
5 entities?

6 A. Not knowingly, no.

7 Q. Are you currently employed?

8 A. No.

9 Q. When was the last time that you  
10 were employed?

11 A. The last time full-time employer  
12 was -- I worked temp in July.

13 Q. July, 2012?

14 A. Correct.

15 Q. For how long?

16 A. The month of July. So from the 9th  
17 to the 27th.

18 Q. Who was your employer?

19 A. I believe that was Manpower.

20 Q. What was the position?

21 A. They called it supervisor. That is  
22 what he they called it.

23 Q. What was the nature of the work?

24 A. It was -- the client wanted -- the  
25 client had a compliance project that needed to be

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2 done so it was more a combination of customer  
3 service and data entry.

4 Q. And that was designed as a  
5 temporary project?

6 A. Correct.

7 Q. When were you employed before that?

8 A. Previous assignment which was also  
9 temp was -- that assignment ended in March of  
10 2010.

11 Q. Who was it with?

12 A. Manpower.

13 Q. For how long did you hold that  
14 position?

15 A. From '08 to -- from 2008 to 2010.

16 Q. Consistently throughout that time  
17 period?

18 A. Yes, that ended up being long-term.

19 Q. How many hours a week?

20 A. It averaged 32, 33.

21 Q. What was the wage?

22 A. That one was 25 per hour.

23 Q. And you worked every month during  
24 those calendar years 2008 to 2010?

25 A. Yes.

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2 Q. Was that reported on your tax  
3 returns?

4 A. I did receive a W-2, yes.

5 Q. Did you report that income on your  
6 tax returns for 2008 through 2010?

7 A. Yes, I did.

8 Q. Since 2010 has there been any sort  
9 of income other than from Manpower?

10 A. Unemployment.

11 Q. From where do you receive  
12 unemployment benefits?

13 A. The state administers unemployment.

14 Q. For how long have you received  
15 those payments?

16 A. For the maximum allowed. I think  
17 with all the extensions I think it ended up like  
18 being 90 something weeks.

19 Q. Did you still receive them?

20 A. No.

21 Q. Over what period did you receive  
22 unemployment benefits?

23 A. From 2010 to -- from March of 2010  
24 to January, 2012.

25 Q. Since March of 2010 have you any